



The Commonwealth of Massachusetts
Division of Marine Fisheries
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NOTICE OF PUBLIC HEARINGS SCHEDULED FOR AUGUST 12 & 13, 2002

Under the provisions of M.G.L. Ch 30A and pursuant to the authority found in M.G.L. Ch. 130 ss. 17A, 80, 100A, and 104, Division of Marine Fisheries (DMF) and the Marine Fisheries Commission (MFC) have scheduled hearings on the following regulatory actions and proposals. Contact DMF for draft regulations and further details.

1) Accept comments on previously enacted groundfish emergency actions complementing federal rules and Court orders. To uphold terms of the mediated "Settlement Agreement" in the federal litigation, DMF enacted emergency measures to complement federal rules.

(a) Area Closures (322 CMR 8.12):

- Groundfish closures were extended for one month for each of the groundfish "rolling closures" for the month of May in upper Cape Cod Bay and Mass. Bay north of 42° and south of 42°30; and for the month of June in waters north of 42°30 from Marblehead north to N.H. border.
- Commercial groundfish fishery re-opened during January through March in waters of upper Cape Cod Bay and Mass. Bay north of 42° and south of 42°30.

(b) Mesh Size Increases (322 CMR 8.07):

- For gillnetters minimum mesh size opening was increased effective May 1, 2002 from 6" to 6 ½" for "stand-up" gillnets for taking of cod and other "roundfish," and from 6" to 7" for "tie-down" nets used to catch flatfish.
- For trawlers, minimum mesh size opening was increased effective June 19, 2002 for "diamond" mesh from 6" to 6 ½".

(c) Cod minimum size increases (322 CMR 8.09):

- For recreational fishermen, cod minimum size was increased from 21" to 23", this rule pertains to all anglers whether fishing from shore, private vessels, or charter/party vessels.
- For commercial fishermen cod minimum size was increased from 19" to 22" effective August 1, 2002. This action comes after two prior emergency actions that increased the limit on May 1, 2002 to 22" and then decreased it back to 19" on June 15 consistent with the federal actions under Court orders.

(d) Cod possession limits (322 CMR 6.03):

- For recreational fishermen, daily possession limit of 10 cod and/or haddock combined was enacted for anglers aboard for-hire vessels effective May 1, 2002. [Note: This limit was already in place for private anglers and those fishing from shore]. Cod daily possession limit was further

reduced to five fish during the months of December through March.

- For commercial fishermen fishing in waters north of north of 42°00' N latitude including all waters of Cape Cod Bay, cod daily limit was increased to 500 lbs. effective August 1, 2002.

(2) DMF proposals to enact commercial fishing gear restrictions and effort limitations to complement federal actions (322 CMR 8.00):

(a) Effort Limits

- For state-licensed gillnetters, DMF proposal to limit each permit holder or vessel to a maximum of fifty 300-ft nets of any type within state waters; and for enforcement purposes require fishermen to tag each of their nets with DMF approved sequentially numbered tags.
- For commercial fishermen deploying longlines, DMF proposes to prohibit the setting of more than 2,000 hooks at any one time.

(b) Gear restrictions

- DMF proposes to prohibit the possession of cod for any longliner using hooks smaller than size 12/0.
- DMF proposes to prohibit use of de-hookers ("crucifiers") with less than 6" spacing between the rollers.

3) DMF proposals to amend striped bass regulations (322 CMR 6.07):

- (a) Proposal to authorize holders of the new for-hire permit to be authorized to filet striped bass at-sea for their customers consistent with existing regulations, thereby negating the need for written letter of authorization from the Director.
- (b) Proposal to amend the recreational striped bass bag and size limit from the current 1-fish per angler at 28" or greater to a limit of 2 fish where the first fish must measure at least 28" and the second fish must measure at least 40".
- (c) Proposal to increase the commercial quota from 802,000 to 1,000,000 lbs.

4) DMF proposal to amend lobster regulations (322 CMR 6.31) to exempt non-commercial lobster permit holders from the trap tag requirement. DMF proposes to require non-commercial lobster pot fishermen to add a dash (-) with a single digit from 0 to 9 which follows the 4-digit permit #. The dash followed by the 1 digit number from 0 to 9 indicates the sequential pot number in the series (up to ten pots) that the permit holder is fishing.

TWO HEARINGS HAVE BEEN SCHEDULED:

Monday, August 12, 2002 (7-10p.m.) in the auditorium at the Massachusetts Maritime Academy and Tuesday, August 13, 2002 (7-10p.m.) at the Annisquam River Marine Fisheries Station.

Written comments (by mail or fax) will be accepted until 5 P.M. on August 16, 2002.